IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

ORDER
IN
S.B. Civil Second Appeal No.648/2006

State of Rajasthan & Another
...defendant-appellants
Versus
Pankaj Kumar Goyal & Another
...plaintiff-respondents

Date of Order ::: 19.12.2006

Present
Hon'ble Mr. Justice Narendra Kumar Jain

Dr. A.S. Khangarote, Addl. G.A., for appellants
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By the Court:-

Heard learned counsel for the defendant-appellants.

The plaintiff-respondents filed a suit for mandatory injunction in the lower court, which was decreed. The judgment and decree passed by the lower court has been affirmed by the first appellate court also.

I have heard the learned counsel for the defendant-appellants and after considering his submissions in the light of the findings of both the courts below, I find that the controversial issues involved in the present case relate to question of fact and there is concurrent finding of fact by both the courts below, which cannot be interfered with by this court in second appeal under Section 100 of the

C.P.C.

No substantial question of law is involved in this second appeal and the same is dismissed in limine.

(Narendra Kumar Jain) J.

//Jaiman//